

4

A
TREATISE
of Ecclesiasticall and
Politike povver.

SHEWING, *K. Richer* (Edmond)
The Church is a Monarchicall go-
vernment, ordained to a supernaturall and spiri-
tuall end, tempered with an aristocraticall or-
der, (which is the best of all and most
conformable to nature) by the great
Pastor of soules Iesus
Christ.

Faithfully translated out of the Latin originall, of late pu-
blished printed and allowed in Paris. 1612.

*J. who was y^e
Author.*

Now set forth for a further warrant
and encouragement to the Romish Catholikes of En-
gland, for theyr taking of the Oath of Allegiance; seeing so
many others of their owne profession in other Coun-
tries doe deny the Popes infalibility in indige-
ment and temporall power over Prin-
ces, directly against the do-
ctrine of Iesuits.

To the PRINCE.

Printed by W. S. and are to be sold by Iohn Budge, at the great
South doore of Pauls, and at Brittaines Burse.

1612.

TREATISE of Pedagogics

OF

THE

ART OF TEACHING

IN A PEDAGOGICAL

INSTITUTE

OF THE

UNIVERSITY OF

BERLIN

BY

JOHANNES

KEPLER

OF

THE

UNIVERSITY OF

BERLIN

1871

BERLIN



To the Prince.

S I R,

THese are not now idle fancies of mine owne, hot ebullitions of a French blood, youthfully sounding the charge long before the combate; No nor of any one man alone, neuer so wise, neuer so temperat. They are the graue disputations, the sound decisions of a whole company, one of the most famous, as one of the most auncient in the world, for diuine and humane learning: Who now set forth to the open view of all men what their opinion is about the Popes either lawfull or vnlawfull authoritie. No more are they any particular imaginations, or exact conclusions of Protestants, the Popes open aduersaries, or some other (if there be any) of his violent enemies; who, perhaps to forward in their owne way, deny utterly all the authoritie of the Bishop of Rome, because he hath vsurped

ped too much, and would haue Rome totally ruyned because there are many abuses therein; and not rather to be reformed by good lawes, reducing order & conueniency to their own auncient iust and lawfull vse: Much like vnto that people, that wholly forbids the vse of that good creature of God, wine, because hurtfull by accident, rather then to temper his furie with water, or moderate the quantity. They are, I say, the too too gentle, the too too indulgent determinations of the Popes best friends, of his dearest darlings, nay, of his owne strongest support in Fraunce, by whome he raignes yet there, and without whom he

1 not haue an inch of credit in that whole kingdom: Determinations, which yet seeming to make good the reasons of the French Herald, &c conclude, *ex obliquo* at least, to his *Croisade*, makes mee the bolder to tender this vnto your Highnes, to whome that other was also dedicated: As a confirmation now by these wise men, of those reasons which, as his owne, he did at that time esteeme more foolish, then for the respect due vnto the assent of such persons, hee dares euer hold them hereafter. For indeed what shold we not boldly execute against him, that with fier and sword, open inuasion and secret treasons, declares himselfe so violent and bloudy an enemie to vs, though we not to him? Wee, I say, right reformed Christians and Catholiks who, rightly lightened with the shining truth of the spirit and the Scripture, haue so lawfully shaken off that most vniust, most vsupportable iron-yoake of later yeares forged in the Church of Rome; when wee see his owne men, his owne

owne maintainers so flatly condemne him? But alas/
what order to be taken? I am not able to giue coun-
sell, much lesse to commaund. Onely this, my most
harry prayer vnto the Almightye shal be, & as long
as I breath I will neuer finish it, till it bee finished or
my selfe; That now when it seemes that in these lat-
ter daies, by frequent disputations the truth beginnes
to cleere it selfe of those darke clouds of ignorance,
and thicke wayles wherein it had bene hitherto pur-
posely wrapt and ouercast; Now that it seemes that
all Christians of all professions, at least those of
the better sort among them, draw neerer then euer
they did one to another, and all to that happy *medi-*
um, wherein consists the true and onely hope of a ge-
neral reconciliation, it may please his heauely good-
nesse to stirre vp, and strongly moue all Christian
Princes and Magistrates, as well Ecclesiasticall as Ci-
uill, to call together a good lawfull and free Council,
as generall as may bee; wherein all absolute and ne-
cessarie points to saluation, being considerately with
brotherly loue, and without animosity discussed, wee
may with common consent of all, frame together a
constant substantiall and vniuersall profession of our
faith: As without doubt it would be a thing most fit
to preuent and auoid many scandals, and easie enogh
to be attained vnto, if euerie one would leaue all pe-
remptorinesse of his owne sence, and cleaue to the
right naked and vnpassionate truth. It remaining, for
the rest, lawfull to euerie nationall Church, in things
indifferent and not altogether absolute and necessa-
rie to saluation, differently to beleue according to
their

their best aduise and Christian libertie. It is a thing which (after God) wee must solely and onely hope from the hands of that thrice-great King your royall father, hee hauing a particular right to it by his title of Defender of the Faith, as indeed hee makes himselfe euerie day more and more worthy of the same, both abroad & at home, carefully suppressing heresies even in their birth, there by his credit, heere by his commaund, there by his word of aduice, here by his sword of Iustice. Oh! what helpe our famous *Henry the Great* would also haue yeelded to this, if those that did smell out some such purpose in him, had not, as vnluckely as traiterously shortned his daies.

But in that happie assembly let it not be forgotten for the first point and ground of all the following good, to giue backe againe to the Catholike Church her ancient right and authoritie, clipping the Popes wings of so much as he hath most tyrannously vsurped, and reduced vniuersallity to his own particular. For otherwise, as long as that tyrannical, vnbridled, monstrous, impious, omnipetency (which none can tell yet how far it runneth, or can stretch it selfe,) be not limited within the bounde of reason, I meane of the law of God, there is no hope of reconciliation, no hope euer of any good at all. I doe not deny that the Bishop of Rome hath altogether no authoritie as from God; Neither but that he may haue a great deale more by the free graunt of Councils, or by the liberallitie of Princes. That which hee hath as from God, let him keepe it still in Gods name; *The gifts of*

God are without repentance. Yea, let him keepe that which he hath lawfully received of auncient Councils, as the first place among the five Patriarkes, betweene whome the care of all the Churches of the world was friendly and almost equally diuided; and to him by especiall assigned the care of these West-churches; In which respect only the King makes no difficultie to call the church of Rome, our Mother-church. Let him also keepe that which auncient godly Princes haue giuen him, though he cannot show, nor who, nor how, nor when: so that he acknowledge it, at least, vse it as a free gift, and not like a desperate vngratefull rebell, to the preiudice of the heys of his benefactors. For in that case the gifts of Princes are not as the gifts of God, and, be they neuer so firmly sealed, neuer so auncient, or pleading prescription, are euer and most lawfully subiect to a iust resumption. But if still through shame or mallice he be loth to accept of these most reasonable termes, & be brought againe to his first estate, thogh glorious enough for any temperate ambition; I meane to that which hee hath by the foure former generall Councils, and by the Emperours of those times (for otherwise to reduce him to that which hee hath by *S. Peter*, (if euen hee haue any thing by *S. Peter*) it were but a poore and verie beggerlie thing: Finally if hee will not voluntarily forgoe all vsurpation or abuse, neuer so auncient or moderne, let him be most iustly depriued thereof, as a preuaricator, and be brought by meere force to that which he should voluntarily and wisely yeeld vnto by right. Whereup-

In his Maiesties
first speech to
the Parliament.

on strengthened now the more with the opinions of that famous Societie, which is no lesse then a little continually standing Councell in France, allowed by the Pope himselfe, I conclude still with the *French Herald*, to a generall *Croisade* against him that is now become the grear enemy of Christendome; And that the executiō of the decrees of that blessed councell being put into your Princely hands, as the Lieutenant general of the high Defender of the faith, the whole Catholike Church, sighing and panting vnder the heavy load of that cruell tyranny, may for euer be beholding to your valor, and extoll you as the restorer of her liberty. Vp then, vp, braue Prince; the eyes of all Christendome are now cast vpon you, to see you beginne; you shall not want friends and followers, even more then you thinke, even more then perhaps you looke for. Those that now dare not shew their heads for want of a General, will mount vpon the tallest courseters they can finde to shew their whole body, and draw with more hast to bee nearest to you; At least you shal know who be your friends. For if the first blow be not giuen vnto that monster by your Royal father, and the second and last by your selfe; sure, sure, I knowe not who will beginne, much lesse who shall make an end. And least any man beleeue that I stand yet wilfully and without iust causes in my old raine; or that I perswade you vpon the reasons of strangers, or any moderne writers onelie; I end with an instance of your owne, a graue prophetic or a sentence, if you will, giuen in this case almost foure hundred yeares since, by a right reuerend, godly

ly bishop of yours, *Robert of Lincoln*, altogether out of likely hood to fauor any thing of the hot French, or of the intercelled Protestant. Another man of yours, your auncient and learned *Mat. Paris* citeth it, out of whose bookes I could bring almost as many arguments to this purpose, as there are leaues, howsoever otherwise a passionate maintainer of the Apostolike seat. That good old Prelate dying in a full age, after that he had liued and serued here vnder the tyranny of three or foure Popes, *Gregory 9. Celestin 4. Innocent 4.* hauing held a long discourse with his Priests and Clergie the same night that hee dyed, in complaint of the hard and miserable estate of the Church in those times, accusing the Popes onely, as the totall cause thereof, and calling them Heretikes and Antichrists, at last did willingly yeeld vp his blessed soule (the neerer to happinesse, the sharper-fighted and surer in her iudgements) with great vehemencie, sending foorth this last Oracle from the bottome of his heart. *The Church shall neuer be deliuered out of this Egyptian bondage, vlesse it be by the mouth of the bloody sword.* To the sword then, to the sword, I durst almost say euen at this instant, for at last when Councell and all is done, wee shall euer bee put to it. Possession is very sweet; and that Iudicious man, best acquainted with the humour of Popes, knew full well that they doe not part so easily from what they haue once catched holde of. If all this doe not satisfie the worlde, truely then I knowe not what shall, though I knowe very well what shoulde; howbeit hardlie of

B

more

In *Henric III.*
An. 1253.

Nota

more weight then that which is handled through all
this Booke. Finally, to the end none may say that I
am more ready to talke then to doe, I vow faithfully
that if euer this holie purpose goe forward, and
God let me enioy my selfe, I shall be one
of the forwardest, in my poore con-
dition, to shew by my best ende-
uours in life or death, how
much I am

Your Highnesses

*Most humble, most faithfull and most
denoted seruant*





To the Romish Catholikes of England.

Most deere, though but halfe brethren, whom yet I wholly lone, euen though you were but men, a great deale more being Christians, most of all, being English Christians, and subiects to that great Monarch, my adoptiue Master; who hauing beene so gracious vnto me, farre, farre beyond my deserts or any hope I might euer haue builded thereon, hath bound me for euer to apply, vow & dedicate all my life, studies, seruice and best endenours to him and for him, and for his sake to all (such as are his: whom, euen for that respect only, I must needs loue, shogh they were but halfe his, as long as hee wants the best part of them, that is their soules, as he himselfe in some place saith of your selues.

In that resolution, & for as much as the whole need not the Phisition, and that indeed I am no Phisition at all, leauing to God and themselves that other part of the good

In his Maie-
sties first
speech to the
Parliament.

To the Romish

people of this famous kingdom, which agreeth in faith and
beleefe with vs: And choosing you, as the fittest object
for my loue and service to worke vpon, and in you that best
part of you, your soules: yea, euē in that learning that gre-
ter businesse of your whole conuersion for spiritual things,
to the working care of that sowerthy Abbot, who hath de-
serued to be a more worthy Archbishop and Primate of
so flourishing a Church, Of an eloquent King of Lōdon, Of
an acute indeed, and much acute Montaigu of Bathes and
wels; Of that other learned Abbot, Of that right diuine
& Iudicious Leyfield, Of substantiall and fruitful Field;
yea, daring to leaue you to the liuely remains of a rich En-
glish Iewel, Of a solid Hooker, so skilful, that with one
only hook he fisheth of both sides, with many others, both a
line & a sleep, so easie to be found, so hard to be nūbred; &
medling onely in temporality and such things as are and
haue euē beene receiued for constant and common religi-
on thorough all the world, but onely some few yeres since,
that the diuell, being almost at a bay, strugglth with his
last and most violent endenours, against the truth that
strangleth him; Neuerthelesse medling heerein more for
your own good, then for his Maiesties, which yet as a right
Pater Patriæ, as a kind Pater-familias of the Common-
wealth, hee will euē esteeme his owne when it is yours: I
thought some moneths agoe to haue presented you in your
owne language that famous letter of a great friend of
yours, the Iesuit Cotton, written in French to the
Queene Regent of Fraunce in disallowance of Maria-
naes booke, and other writings of other Iesuits, appro-
uing disobedience of Subjects to their own lawfull kings, in
temporall matters, euē to their poisoning and murder.

But

Cott.

Catholikes of England.

But another man with more hast then goodspeeds (I am sure) though not with a better minde then my selfe, serving it unto you in another dish and with a sower sauce in the end, of that odious chamber of meditations, did quite marre the good use that yee both and wee, I meane the whole state, might very well haue reapt therof. All things are not fit to bee said at all times, neither ought we so nakedly to vncover the shame of our brethren as long as there is any hope of amendment, principally being most certain that the best part of you doth not allow, yea, I dare say, not know those abhominable, execrable and almost incredible courses. For no doubt but it would haue made some impression in your hearts, to haue scene (without such a bitter addition, quite then out of season, and rather to exasperate then to pacifie you) so famous a man, a Iesuit by profession, and one of your greater saints, writing of set purpose to so eminent a person, and impugning whosoever hitherto hath beene, or hereafter might be, written by any of his owne order, or by others, against the temporall authoritie of Princes ouer their subiects; cyting orderlie one by one, as numerus certus pro incerto a doze of famous Iesuits, Cardinall Tolet, Cardinall Bellarmine, Gregory of Valencia, Salmeron, Delrio, Heyssius, Becanus, Oretzerus, Lessius, Serrerus, Azor, Richeom, euerie one with some speciaall place mainteining the Princes temporall authoritie. And for better fortifying therof setting downe of himselfe, and without any vrging, 15. heads and principles of the faith, and beleefe of their whole society about that matter whereof among the rest, the 6. 7. 8. 9. 10. 11. 12. are these, after that in the former he hath established and highly comended the monarchicall

L

} *Handwritten signature*
sat. f. 8

state, as the best.

6

That kings are annointed, and therefore called the annointed of the Lord, that euery one (as Simeon Archbishop of Thessalonica saith) may understand that they ought to be inuolable, and respected as holy and sacred persons.

7

That whosoener resisteth them or rebelleth against them, shall receiue their owne damnation; Rom. 13. 2.

8

That obedience is due vnto them, not because vertuous, wise, mighty, or of any other such qualities, but meere-ly because they be kings and establisht by God.

9

That it is not lawfull to deny them their obedience, much lesse to rebell against them, though they should be vicious, froward and hard to be endured; 1 Pet. 2. 18.

11

That in such cases wee ought to pray for them as the Prophet did command the Iewes for Nebucadnezar, and Balazar Bar. i. iii. And that those persecutions, losses of goods, and other afflictions which are patiently suffered for that cause, and without rebellion against their superiours, are things most pleasing to God, and agreeable to that praise which Paul giueth to the Ebrewes, cap. 10. 34. and to that ordinance by himselfe published in the Church. Rom. 13. 1.

12

That it is not lawfull to attempt any thing against their persons; but that it is a most execrable parricide, a prodigious crime and abominable sacriledge.

All which articles and letter, though by some, accused of some equivocation, truly at least by all honest plain-dealing men and fully good subjects, of so much sparingnesse and cohibition in a matter which deserued with an open mouth to haue bene more clearly and largely extended;

dead; yet willing to take al things in the best sence, even in our aduersaries, and receiue as lawfull and current; the coyne of ill pay-masters, neuer so base, neuer so clipt, so it be but in different good: I then purposed with a peaceful, charitable, and truly Christian and brotherly mind and fashion, to set them before your eyes, to the end you might with as peacefull a spirit, and not stirred or distastled by any vsanory appendix, conceane at least of this point; That so many other Iesuits of other nations are not of the same opinion in that behalfe with your Parsons, Campion, Creswell, Garnet, Hall, Greenwell, Gerard, Hamôd, & other your fiery Iesuits; which as right Puritans among their other fellowes, that is abstractum de abstracto, (as though England were the onely Seminary in the world, for such a cumber, some so sharp-sighted, and to sharp-minded zeale) defining and refining law and Gospell according to their owne humours and priuate ends, till they haue (I feare me, and God forbid) finished and dissolved all, make Religion where there is none, and irreligion of that which is most sacred and religious: As by all lawes both diuine, naturall, Ecclesiasticall, politike and positine, temporal obedience of subiects to their Princes is, and hath euer beene held.

But that good duetie being intercepted, as I told you before, I had very willingly requited it by presenting you another booke of another, though yet my Country-man, still of your owne profession, for with other armes will I neuer urge you, then those that your owne men shall put into my hands; A man truly most worthy and learned, A booke most worth reading, intituled Of the common offence and priniledged case, wherein shewing by degrees, and

To the Romish

from age to age, the intreaching increase of the authority of the Popes and Church-men, in that old time of thick ignorance, when scarce any in the world but they could read or write his name, that Author most excellently proueth that a principio non erat sic, and that from the beginning & many hundred yeares after, all Church-men without exception were subiect to the full obedience and Iustice of their ciuill Princes, till by their fauourable grant and relaxation, or rather by an ouer-religious flatknesse, unproudency and scrupulous simplicitie, Church-men by tract of time got to be released in some cases; from where first arose the distinction, betwixt *delictum commune* & *casus priuilegiatus* as they call them.

But fearing least that booke neuer so cleer, neuer so well followed, might not be of great moment with you, as being written by a private man, not perhaps so famous among you as your owne father Cotton, though a noble Iudge of one of our high Courts of Parliament, and his booke openly printed, allowed and licenced by Catholike learned Diuines I thought rather to looke for a better opportunitie; which, I am sure, hath not bene euer since so effectual as this, nor perhaps will be a long time hereafter. For unless it be in a generall Conncel, it is not to be hoped that you may euer haue a constant resolution of so many & so learned Doctors of your own & aboue all so little interested in your case, but rather which being able to claime more then you, as being Church-men themselves, disclaime humbly & willingly that which is not theirs, the more the more to be beleeued. It is no more Luther that speaks in Bohemia, Caluin in Geneva, Henry 8. in England, Iames the sixth, in Scotland; you cannot impute this to any parti-

Catholikes of England.

cular quarrell, or heresie. They are not private men of another Countrey that speake in their owne sence, and of which you might say they may overshoot themselves, though of your owne profession, as the two above mentioned. It is not one Blackwel your Archpriest, one VVarmington, one Sheldon, your Priests, of whome you might say the two former were prisoners, the last a Runne-away. VViddrington at least was free, that so learnedly confutes Bellarmine by Bellarmine himselfe, and is your own stil, yea most passionate; as the fashion is of all those that haue forsaken vs, therefore the more worthy to be credited by you. Though it be a great wonder how he hath beene able to reserve still so much reason and honesty to make a stop there, since it is not the good hap of such as fall once from the steep rocke of the truth, to graspe any where, but rather alwaies to tumble from an error to an heresie, till they be legges and lims all broken, overwhelmed in the bottome or rather in the bottomlesse pit; yet it is not hee that speaks. It is not the King himselfe, of whome you might say he speaks in his owne cause, though no otherwise then a good Father, commending naturall duety to his beloved Children; And, I pray you, who shall loose most, or be punished at last, either the godly father for admonishing his rebellious children, or they for denying him his due? It is not that so powerfully fulminās in vanos illos fulminatores et vacua fulmina Capitolij, learned Andrewes, or any other of our graue men; of whome you might say, they speake to please the King. They are free and frank Frenchmen that speake, in Fraunce it selfe, the mother of all fraunchise and freedom, free, not onely in their bodies, but without preiudice in their mindes. For of those

To the Romish

Frenchmen they are not that part, which, being neerer in
faith to vs heere, you might perhaps nick-name Paritani,
open and opposite enemies to the Pope; No such matter;
They are your owne deere Brethren, rather then our com-
mo friends, the same sheep of one pretended fold with your
selues, the Popes most obedient and gentle children: who
rather by too gracious & charitable a granting, then by a
restraining maner, rather giue a new far-stretching power
to your common father, then abridge him of any of his old.
It is, I say, whole France that speaks by her Sorbonne,
& that whole society agreeing together as one man speaks
also by one man, their Sindick & learned Speaker Richer,
very wel known though not named: The Sorbonne of Pa-
ris, I say, so famous through all Christendome, & which be-
ing an ancient copany of the most graue & learned French
doctors in Diuinity, & both canonicall and ciuill law, is as
it were, a continual standing councill in France allowed by
the Pope, at least represents it as long as there is none else;
and to their oracles, in that respect, all France in a time of
neede, yea verie often many forraine Countries haue had
their refuge. For euē when at the first this very same book
came forth without a name, as a child exposd to fortune, that
it might be the more free to any to oppose & alleadge what
they would, what they could against it; Then indeede the
Nuncio, perceiuing his master so thoroughly let blood, not
onely in his Cefalica or Basilica, that is in his headship
ouer the church, or royaltie ouer Princes, but euen in his
Arteria magna, wherein consists the life and the spirit of
all his being, runs in a great heate to diners Bishops and
Cardinals; and gathering as many as he could to accompany
one, the greatest indeed among them all, willing willing as

one that truly hath ever bin very moderate, but yet hath so neere an interest in the Pope, both by oth & by hope he may wel haue to be a Pope himselfe one day, as, sure, he is more worthy of the place, then the place, as now it is, of him stands him in al the hast to complaine to the Counsel, and demand the suppression of this booke. But that right worthy of that name Henry de Bourbon, most worthily the first Prince of the blood, hauing thoroughly perused it before hand, undertakes brauely the defence thereof &, in the behalfe of our yong Lewes his Lord & neere kinsman, ouerthrows the reasons without reason, of the Bishops, Cardinall & all, giuing by authoritie of the whole Counsell, more authoritie to the booke then it had before. For euen that other eye of France Charles de Bourbon, Earle of Soissons, taking then first notice of the booke, & therefore not able to speake much to it, but vpon the assurance of his nephews sufficiencie, caused it purposely to be translated to understand it better, and finding it also most iust, equitable and well grounded, it was publikely printed in French, whereas it was before but in Latin. Then was Sorbonne also consulted (as they vse in such cases) which gaue freely their opinion in fauor of the book, as knowing ful wel from whence it came, & beginning the, as it were, to auow it as their own. Whereupon the Nuncioes crew yet not yeclaing, but continuing to gather it selfe together three or foure daies to aduise of some means for their redresse, as soon as that famous high Court of Parliament of Paris, the right arme of our Kings, & in some sort Protectors of the kingdom in a nonage, had notice of it, they sent immediately the kings Atturney general to bid the vpon pain of the Kings displeasure to separate theselues, & leaue off such cōuenticles, which were not only

To the Romish

without, but against the Kings authority, & of the Church about such things as were allowed by his Maiestties most honourable priuy Counsell, by the Sorbonne, and by themselves, them three representing, as it were, the three Estates, that is to say the whole kingdome.

And now that which that most Christian Fraunce saith, is nothing new, or of her own selfe, but Serenissime Venice hath said as much upon mature consultation of al her Diuines, and saith so still; Catholike Spain it selfe thinking no lesse: which yet hath spoken sometimes as far as any of the rest, if not further, as their owne manifold Councils held at Toledo, most learnedly cited in that Royall Apology for the Oath of Allegiance, do manifestly iterate and testifie. Fraunce, Spaine and Venice, the three Charities, the three minions of the Pope, that yet sticke most strictly to him, and neuerthelesse, two of them at least, doe but hold by a bare and verie small threed; As the third also would stand in the like case, but that beeing so neere and terrifying a neighbour of all sides vnto the Pope, he holds him by the throat (as they say) being able to strangle him to death with all the Consistorie, whensoever he will but restraine the transportation of corne out of Sicily and other his dominions round about: whereby he commaundeth more then he is commaunded (not perhaps more then hated, if they durst shew it) and neuer giues their holy Ghost leaue to sing any other song, but that which be sends him ready pricks from Madrid.

Now then, if these men when they haue done al their utmost power, yea, in the stretching of their loue & filial duty, enlarged kindnes beyōd that which they can wel warrant; yet can they assigne vnto their father the Pope, no more then

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then a generall care of soules with a ministeriall direction
onely for order and execution of Canons ouer particular
Churches; no power at all ouer the vniuersall Church in
grosse, much lesse ouer a generall Councell, much lesse, or in
the same degree, ouer the bodies of men by violence, or any
temporall punishment, but by meere counsell & persuast-
on onely: And if not so much as ouer priuate bodies, least
of all ouer Kings and Cnill Princes, which rather they al-
low and openly acknowledge to haue right and authoritie
to command both Church and Church-men in some cases;
to which Princes all men, as well Ecclesiasticall as Cnill,
must be most humble and faithfull subiects, as being (in
so much as they be Lords of the territorie) established by
God, Protectors and Defendors of the Church, and of
both Diuine and Naturall lawes with attribution of the
materiall Sword to themselves only, priuately and ex-
clusiuely from all others within their owne dominions.
What stop then any more, deere brethren, but that you should
gladly yeeld your naturall dutie and allegiance to your na-
turall king, since ye are bound to yeeld it euen to the frow-
ard? That you should willingly giue him but that simple
pawne of your loyaltie, your oath, the simplest that could
euer be imagined vpon that great straight and necessitie
whereunto the State was brought by that portentsuous
mischiefe, which did once so nearely and daungerously
threaten kingdome and vs all, as you your selues haue
bene most vndoubting eye-witnesses? You shall not be Ca-
tholikes neuerthelesse, and you know how little or no-
thing besides that, is required at your hands; your con-
sciencs are no waies pressed; your thoughts are most free,
and your words (thank God for it and your gracious King)

} As -

1. Pet. 2. 18.

B—

may freely expresse them. In so much that euerie day some of you (God forbid I should say all) dispute as peremptorily, speake as odiously, decide as vnechristianly, inueigh as publickly against vs, and our Religion here in the midst of London, to our selues, and one to another to our owne faces, as though they were in the verie middle of Rome or Seuil very farre from the pittilesse fiers of those hot Countries, where they burn without remission, not only such as speak the least word, I doe not say against God (for they let them alone) but against the Pope, (for that is the greater sinne) yea euen against those they can by any meanes discover to haue had, at any time, any thought, or bee able after wards to haue it, against him. Onely all you may complaine of, is that yee haue not as free and as publicke exercise, as we, of the rites of your Religion: And yet in some sort haue yee it, by hooke and by crooke, or by a soueraigne transcendency of grace; so much haue euer all Magistrates of our Religion abhorred extreame execution of the lawes, but being forced therunto by violent attempts. For shame therefore be contented; Enioy peaceably that liberty which you may buy so cheape; and rather loue the certaine quietnesse of your present estate, then the incertitude of another, which sure cannot be but troublesome. Force not by an vnatural rebellious wilfulnesse in so iust, in so lawfull a matter, your naturall and most gracious King to be most vnwillingly, and with a great griefe to his heart, more sharp against you then the sweet inclination and meeknes of his royall nature will beare.

I conclude with an addition, so your further encouragement, of some decrees decided and set downe two hundred yeres agoe by the verie same Sorbonne against that false doctrine

doctrine, and such as seemed then to breach it a new, whom they neuer failed to condemne, and caused them publicly to aske pardon and make satisfaction, as Frier Iohn Sarrazin, Iohn Tanquarell, Florentin Iacob, Thomas de Blanzy, and sundrie others at sundry times did; which decrees yet now of late they haue caused againe to bee printed by their owne Printer, Felix de Blauile, in S. Victors streete in Paris, and bound together with this present booke, with this title, Of the power and Iupremacie of the Pope. Against the Sectaries of this age. Repeating once more the diffinition of the Church, as it is set downe in the title page of this booke, so point, as it were, with the finger that both sprung together out of one & the same fountaine: Whereby you may see how carefull they haue ever beene to dash the young ones of Babilon against the right rocke of the truth.

The decrees are these, after a long rehearfall of the cause and ceremonies of Sarrazins recantation, in presence of the Rector of the Vniuersity, and whole scores of Doctors there named one by one, as witnesses.

That all powers of Ecclesiasticall Iurisdiction, other then that of the Pope, are from Christ himselfe in as much as concerneth primary institution and collation; but from the Pope, and from the Church, for limitation and ministeriall dispensation onely.

That those powers are of diuine right and immediately ordeined by God.

That we finde in the Scripture that Christ hath founded

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To the Romish

ded his church, and expressly ordained other powers, differing from that of the Pope.

4 That whensoever any matters bee ordained in a Councel, the whole authoritie which giueth force to the decrees doth reside not in the Pope onely and alone, but principally in the holy Ghost and the Catholike Church.

5 That by the text of the Scripture and doctrine of the Apostles, wee see directly that authoritie of iurisdiction was conferred vpon the Apostles and Disciples when Christ did send them forth.

6 That the power of Iurisdiction of inferiour Prelates, either Bishops or Curates, is immediatly from God, according to the doctrine of the Gospell and the Apostles.

7 That there is some power, that is the power of the Church, which of right and in certaine cases can decree against the Pope.

8 That any man lining of whatsoever title, authority, dignity, or preeminence hee may be, euen though he were a Pope, if onely he haue the vse of reason, may commit Sinne.

Finally, most heartily intreating you to take in the best part of this my louing zeale and seruent affection, I cease; yet neuer ceasing most deuoutly to pray still both for your own good, for the kings service, for the peace of the land, & generally for the seruice of God, that he wil giue me grace I may truly say with Paul, in your behalfe (since the case is not very much unlike) that which he saith of the Iewes, Rom. 9. I speake the truth in Christ, I lie not, my conscience bearing me witnesse in the holy Ghost, that I haue great heauinesse and continuall sorrow in my heart, for I would my selfe euen be seperate for my brethren,

Catholikes of England.

brethren the [*Romish Catholikes*] to whome pertained
the adoption, and the glorie, and the couenants, and
the giuing of the law, and the seruice of God and the
promises, of whome are the Fathers, *and who hauing*
bequeathed or rather bequited them vnto vs, as the Sina-
gogue had done vnto them, both remaine depriued
thereof; Whereunto I pray God from the bottome of my
heart to restore you all againe with vs, that so both Iewes
and all Christians, as naturall brethren after a long dis-
cord reconciled together vnder one God and father, one
Lord and Elder Brother, in one Church and Mo-
ther, may enioy together one eternall glo-
rie in the beauenly Ierusalem, which
is the mother of vs all.

Amen.

D The



The Argument of the whole Treatise consisting of eightene Sections.



Celestiall Jurisdiction, chiefly and essentially belongs to the Church, but to the Pope and other Bishops ministerially onely, as the power of seeing to the eye.

Christ immediatly and by himselfe did give the keyes, or iurisdiction vnto the hierarchicall order, by the immediate and reall sending forth of all the Apostles and Disciples.

The definition of the Church, by essentiall canons.

S. Peter is onely the dispenser & ministeriall head, but Christ the right absolute Lord, essentiall & head founder & foundation, of the Church. Wherefore all arguments drawne from the ministeriall to the essentiall head, come short & are fallacious, as being inferred from that which is said in some respect, to that which is affirmed simply.

In the Church her state must be distinguished from her government; the state being monarchicall, only to maintaine order and vnitie, and to the powerfull execution of the Canons: But the government is Aristocraticall for wholesome counsell, infallible providence and constitution of Canons: For the Church is governed by Canons, not by absolute power.

The infallible power of decreeing & making Canons, belongs to the whole Church, which is the very pillar & ground of truth: not solely or onely to Peter: And that proued by the practise of the whole Church.

A dicto secundum quid, ad dictum simpliciter.

dr

71

6

81

7

This place of the Gospell expounded, Simon, Behold, Satan hath desired to winow you as wheate; but I have prayed for thee, that thy faith faile not &c.

8

The frequent building of Councils is absolutely and simply necessary to the better and more holy governing of the Church; and in what cases the Bulls and Decretals of Popes doe bind;

9

How farre the fulnesse of the Popes power may be extended; And in what case he may dispense wth the canons of Councils.

10

Though the Church haue but one essentiall head, y^{et} notwthstanding in regard of the exercise and execution of government, she is severally ruled by the Pope, and by the Ciuill Prince.

11

Whereas the Church hath neither territory, nor right of the sword, from Christ (being onely ordained to a supernaturall and spirituall end) shee can determine of the meanes necessarye to satisfaction, onely by perswasion and direction; not by constraints or inflicting of temporall punishments.

12

The ciuill Prince, as being Lord of the Common wealth, and Country, is the Protector and Defendor both of the Diuine, Naturall and Canonicall law; And to those ends may both establish lawes, and exercise the sword.

13

Appellati-
ones de abusu.

The Ciuill Prince by the title of Protector of the Church, and defender of the Canons, is the lawfull Iudge of all; appeals for abuse, as they are termed: And from thence haue the liberties of the Galllican Church had their beginning.

14

Confutations of those arguments which doe attribute absolute authority to Popes.

15

In a generall Council, the Pope is held to be the head, so far forth as concerns preaching of the word, administration of Sacraments and execution of Canons; but not as touching direction and correcting power over the whole Council.

16

17

This Canon expounded. No body shall iudge the first See. The small cause of the Church, which is earthlyng life by a good government, shewes evidently that Peter is by the Church; and for the Church; as the eye by man is for man.

18

What the meaning is that the Council haue also indirect power in temporall things; And the answer to the contrary arguments.



A
TREATISE OF
Ecclesiasticall and Po-
liticke power.

11

IT is a common Principle and of an
vndoubted faith, that God & Nature
haue still a more chiefe and immedi-
ate regard to the whole, then to any
part, neuer so noble, thereof. And for
an example the power of Seing hath
therefore bin giuen vnto man, that it might bee ex-
ecuted by the eye, as mans instrument and minister to
that purpose; for the eye subliſteth both by man, and
for man. The Schoole of Paris building vpon that
moſt inſallible ground, conformably to the opinion
of all auncient Doctors of the Church, hath euer and
moſt conſtantly taught, *That Chriſt in the foundation
of his Church hath more chiefly, immediatly and eſſen-
tially giuen the keyes, or authoritie to the whole Church;*

then to Peter; Or (which comes al to one) That he hath
giuen the keyes to the whole Church, ministerially to be-
sed by one man: Seeing all Ecclesiasticall power be-
longs properly, essentially and first to the Church;
but to the Pope, and other Bishops instrumentally,
and ministerially, and onely so far forth as concerns
the exercising, as the power of seeing to the eye: Let no
body therefor glorie in men, for all things are yours (that
is to say of the church) whether it be Paul, or Apolos, or
Cephas, or the world, or life, or death, whether things pre-
sent or to come; for all things are the Churches, and the
Church Christs, and Christs Gods. 1 Cor. 3. &c.

II

For surely when it pleased our Sauour Mat. 16. 19. 20
promise by words of future, the keyes to Saint Peter
in the name of the whole Church, after this maner,
I will giue thee the keyes of the kingdome of heauen, &c.
He did afterwards actually giue and deliuer them to
the whole hierarchicall order to gether, First by a gene-
rall commission, Mat. 18. 17. where he doth establish
the Church sufficient in it self, & a chief Gouvernelle
Tell it vnto the Church; Secondly, by a reall sending

John 17. 18.

forth. Luc. 10. 1. The Lord appointed other-seauenty also,
and sent them two and two before him, into euerie citie &
place whither he himselfe shold come. Likewise when a lit-
tle before, or immediatly after the celebration of the
Lords supper, he prayeth to his father for his Church
in these words; As thou hast sent me into the world, so
haue I sent them into the world; and for their sakes sancti-
fie I my selfe, that they also may bee sanctified through the
truth; And a verse farther, That they all may bee one, as
thou, O father, art in me, and I in thee; and may also be one

in vs, that the world may beleue thou hast sent me; And
one verse after, That they may be made perfect in one &c
By which words it appears clerely, That Christ hath
not deliuered the infallible power of the Keyes so-
much vnto Peter himselte and alone, as vnto the vnitie
it selfe; as S. Cyprian and S. Austen doe confirme, 24.
quæst 1. can Quodcunque, can. Loquitur, can. Ali-
enus. Moreouer, Iohn 20. 21. As my father sent mee, so
send I you, Receiue the holy Ghost, whosoeuers sinnes
you remit &c. Seeing then, that true and reall
mission is a conferring of iurisdiction, by the authori-
tie of the Apostle, Rom. 10. 15. And how shall they preach
except they be sent? And Christ immediatly, individu-
ally and iointly hath sent all his Apostles and Disci-
ples (which did represent the Episcopall and Priestly
order) as he had beene sent of his father, that is with a
iust and spirituall authoritie, necessary for the govern-
ment of the Church; It followes, That the whole hie-
rarchical order, consisting of Bishops & Priests, doth
deriue immediatly, yet in a proportion and subordi-
nation, his power and iurisdiction (that is his authori-
tie for the governing of the Church) from Christ.
As in Fraunce, inferiour Iudges and Magistrates, al-
though subiect to Parliaments, deriue as well and
as directly their authority from the King, as the
Parliaments themselves. For those that bee orde-
ained of God: And had neuer beene so ordai-
ned if there were not some subordination betweene
those magistrates, and the Ecclesiastical persons. And
finally the testimony of Paul, Act 20. 28 Take heede
therefore vnto your selues, and to all the flocke wherof the
holy

holy Ghost hath made you Bishops to governe the Church of
 God. Which doctrine S. Bernard lib. 3. de Consider. ad
 Eugen. cap. 10. dooth very cleerely make manifest.
 Thou dost deceiue thy selfe (saith hee) if thou thin-
 kest that as your Apostolicall power was ordained
 by God to be chiefest, so also to be alone. If thou
 be of that mind, thou art not of his mind who said
 Rom. 13. 1. That there is no power but from God; Ther-
 fore that which followes, *who soeuer resisteth the pow-
 er, resisteth the ordinance of God*, though it make
 principally for thee, neuertheless not singularly.
 For the selfesame who said, *Let every soule be subiect
 unto the higher powers*, did not say unto the higher
 power as though they were but in one, but speaks
 in the plurall as being in many. VVherefore thy
 power is not alone from God; There are some of
 the middlesort yea & some inferiour. And as they
 whome God hath ioyned must not be seuered, no
 more those who are subiect to others must be com-
 pared to them. Thou dost forme a monster, if re-
 moving a finger from the hand, thou wilt haue it
 hang at the head, superiour to the hand, col-
 laterall to the arme; So is it if in the bodie
 of the Church, thou placest the members other-
 wise then he hath disposed them. * *who hath set some
 in the Church to bee Apostles, some Prophets, some E-
 uangelists, some Pastors and Teachers, for the
 perfectioun of the Saints in the worke of the Mir-
 acles, and edification of the body of Christ.* Let
 the Godly rather looke the whole chapter.

But if any happen to object that this power which

Christ

Christ by an immediate missiō did transfer to his Disciples, doth not so much concern the authority of the outward, as of the inward Court. The answer is, that vniuersally al the ancient fathers of the Church have absolutely expounded it of whatsoeuer power necessary to rule the Church, as wel in the inward, as in the outward Court; And that we are bound a great deale more to giue credit to their sound decisions, thē to the subtile distinctions of some Noualists, forged at pleasure, more easily to maintaine & enlarge their liberties, & extraordinary missions, euen to the ouerthrow of common right. Besides, That the sum of the whole outward iurisdiction reaches no farther then to the power of ex-communicatiō, which afterwards Sect. 6. shall be clearly proved to haue immediately bin deliuered vp by Christ to the Church. Yet perhaps they wil pretend, that this power of iurisdiction was indeed ordained & cōferred at first by Christ to the whole Church, but with such cōditiō, that it shold be afterwards cōtinued & cōferred to other Bishops, by the Popes, as Incessors to S. Peter. And therefore now al authoritie cōmeth & is deriued only from thence. But thus stop you their mouth, That it is most apparāt by the practise of the primitive Church, & by the holy canōs, that al collatiōs of benefices (as they are now called,) haue bin 1400. yeares together made by a cōmō right, that is, by holy elections. The reason is, because al principality, so far as concerns cōpulsive power, depēds of the cōsent of men as both diuine & natural law do confirme; against which neither length of time, priuiledge of places, nor dignity of persons, can euer prescribe. Which ground being

thus layed and settled, of necessitie these eight new
ensuing principles must directly follow.

3 2

The first shall unfold the definition of the Church,
Which is a Monarchicall government, ordained to a
supernaturall and spirituall end, tempered with an A-
ristocraticall order (which is the best of all, and most
conformable to nature) by the greatest Pastor of
soules, Iesus Christ our Lord, Who is the only King,
Monarch, absolute Lord, Founder, foundation and
essentiall head of the Church, having an absolute and
purely monarchical command over her: And who, al-
though by his omnipotencie, and infinite power, he
might have saved all mankind without the scandall
of the Crosse, neverthelesse to confound and ouer-
throw the power, pride, arrogancie and wisdom of
the world, and teach his Ministers to thinke mod-
estly of themselves, *Yea was pleased by the saint shewle
of preaching to save them that believe, that no flesh should
glory in his presence, Cor. 1.25.29.* Whereof wee will
treate Section. 11. From whence we doe also inferre,
this Article of faith [I beleue one holy Catholike
Church] to bee of an everlastling veritie, seeing as
long as the Evangelicall Law standeth, and Christ
cannot make any distance from the Church, his
Spouse. Which cannot properly bee said of her
Symbolicall and Ministeriall head, the Pope,
Whome wee often see to bee absent and present,
for a time at least, without destruction of the
Church, for who is ignorant that the Apostolike
See hath sometimes three, sometimes seven yeares
beene vacante? So that the Commandement of
having

having a Pope is affirmative, and not negative.

The second principle teacheth, That Saint Peter is only the dispenser and Ministeriall head, not the Lord, Founder or foundation of the Church; Titles which belong indeede vnto one Christ alone, and only the essentiall head; by whome, and for whome the Church subsisteth: for which cause also hee speakes thus to Peter, *Matthew 16. 18. Thou art Peter and upon this rocke will I build my Church, and the gates of hell shall not preuaile against it.* Wherein is to bee noted that hee doth not say thy Church, or the gates of Hell shall not preuaile against thee; likewise *Iohn 21. 15. Feede my Lambes, Feede my Sheepe*, hee doth not say thy Sheepe, or thy Lambes: And that purposely, to shew that Ecclesiasticall men are called to a meere and simple dispensation or administration, not to any temporall Dominion or Government meereley and absolute Monarchicall. The *Kinges of the Nations* raigne over them, but with you it shall not bee so *Luc. 22. 25.* and *1. Peter 5. 3. Feed the flock which depends upon you, caring for it, not by constraint, but willingly; not as Lords of the flocke, but that ye may bee a good example to them.* Which places of the Scripture Bernard ad Eugen. lib. 2. cap. 5. doth expound after this sort. *Go then thou also and vsurpe, if thou dare, either an Apostleship being a Lord, or a Lordship being Apostolicall. Thou art plainly forbidden both, and if thou wouldst possesse both together, thou shalt loose both. This is the Apostolicall forme, Dominion is forbidden, ministration is commanded and commanded by the example of the lowe gaine,*

Zac. 13. 27.

+ 111

* I am in the midst of you as one that ministrereth &c. By which both Saint Peter and Bernard doe set before our eyes a pattern of aristocraticall government, which shall bee more largely described afterwards Sect. 5. 6. and 8. I am not ignorant that our Nonnists, better to defend their priuiledges, doe maintaine that by these words, *Feed my sheep*, Christ hath giuen the whole Ecclesiastical iurisdiction, solely to Peter alone, to distribute it afterwards at his pleasure to whom he would. But those idle pretences are so plainly and manifestly confuted by the Oracles of holy Scripture, by the testimony of all auncient Fathers, and by the whole practise of the primitive Church, that it is a great wonder how they dare forge such absurdities. For indeed this speech of our Lord, *Feed my sheep* &c. doth confer vpon St. Peter, as a ministeriall head, a prime and full authoritie of administering, or executing the diuine, naturall and canonical law; according to the rules of aristocraticall moderation: Vpon which point looke Sect. 9. Which grounds being thus laid, all those and other like arguments remain very easily answered, That *Petrus* is *Petra*, the foundation & head of the Church, and therefore without him the Church faileth: Or that as a body being without a head, a streame without a spring, a beame without a Sunne, a branch without a stock, an arme of a tree cut from his body, perissheth and withereth; no more can the Church subsist without a Pope. As though the Pope were the primary, and not the secondary, the essentiall; and not the ministeriall, Head of the Church. Whence followes that the commandement of ha-

uing

using a Pope binds, * for ever, but not at all times.

The third principle makes a distinction between the State of the Church and her government. For the State indeed is monarchicall, as wel to maintaine unity & order, as to execute the Canons, which execution is proper enough to the Pope, as to a ministeriall head: But the government is Aristocraticall, for sound providence, effectuall counsell, and decreeing of those Canons; for which cause wee sayd Sect. 1. That the keyes were given to the whole Church to be used by one man. For God hath ordained his Church, his Spouse, to be governed by Canon or counsell, that the Pope and other Bishops might not bee able to decree any thing of moment of their own head, or by the advice of some oligarchicall Councell, that is to say of few; but that they should oft assemble & craue the advice of an aristocraticall Councell of the Church. Therefore doe we read that it was ordained by the ancient Fathers, that everie yeare two provinciall Councils should be assembled. For look what proportion there is betwixt a generall Councell and the Pope, the same is also betwene particular Synods & their Bishops. For particular Churches likewise must be governed by their own Bishops, with the rule of Canons, not with absolute power. Furthermore we hold, the right and naturall Senate or Councell of the Church, instructed by our Lord, to be not only the assembly of all the Bishops, but of all Priests having charge of soules; Of the which the former succede the Apostles, the latter the seventy Disciples. *Dist. 8. Can. Charepsicopi, ibid. Quasi. 1. Can. Evulsus; and Dist. 2. Can. Presbi-*

* *Ad tempus pro tempore,*
As Schoolmen speake:

3 173

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ser. For the Priests, indeede in times past did
 uaine the Church in common, as Saint Hieron-
 doth witness. Can. Logician. Dist. 93.

64 The fourth principle is, That the infallible power
 of decreeing and making Canons is in the power of
 the whole Church, or of a generall Councell repre-
 senting the same: VVhetein principally consisteth the
 nature of aristocraticall gouernment, and is most
 clearely demonstrated, partly by diuine, partly by na-
 turall light. For indeede many eies can see farther
 and cleare then one alone, neither is it giuen either
 from God or nature to any one alone to bee wise,
 least hee should glorie in himselfe. Moreover, The
 body (of the Church) is not one member only, but manie;
 If the whole bodie were an eye, where were the hearing?
 1. Cor. 12. 14. 17. And the spirits of the Prophets are
 subiect to the Prophets; that is to the Church. 1. Cor. 14.
 32. For There is but one Bishopricke, whereof a part is
 held in solidum, that is wholly, by every one. 24. Quest.
 1. Can. loquitur. Wherefore it is necessarie that
 that which concernes all, should bee also approued
 by all, principally, Since euery high Priest is taken from
 among men, and is compassed with infirmitie. Heb. 5. 1.
 therefore may deceiue and bee deceiued, except hee
 require the counsell of the Church, which is the pillar &
 ground of truth. 1. Tim. 3. Therefore when Christ was
 readie to ascend vp into heauen hee doth promise the
 spirit of truth to the whole Church, not vnto one
 and only Peter, Iohn. 14. 18. And I will pray the Father,
 and he shall giue you another Comforter, that hee may abide
 with you for ever, euen, the spirit of truth. And

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gaine. *Mat. 18. 15.* hee doth establish his Church sufficient in it selfe, and a chiefe Compendiouse, by the erecting of an Infallible Court, whiles hee doth so in these following words instruct Saint Peter, desirous to know how many times he should forgive his brother offending. *If vby brother trespass against thee, goe and reprove him between thee and himselfe alone, &c.* And if hee refuse to heare the Church, Let him bee unto thee as an Heathen man and a Publican. *Verily I say unto you whatsoever ye bind on earth shall be bound in heauen &c.* Again I say unto you, that if two of you shall agree in earth upon anything whatsoever they shall desire, it shall bee given them of my father, which is in heauen. For where two or three are gathered together in my name, there am I in the midst of them. By which speech wee learne that Christ hath granted the power of excommunication immediately to the hierarchicall Order, which is signified here by the name of the Church; for as the number of ten doth eminently and causally containe all numbers; likewise doth this former speech Tell it to the Church eminently. I say, and causally comprehend all fulness of Ecclesiasticall power with every superiour Church man, indued with any iurisdiction, be it a Bishop, a Pope, or a generall Council; wherein as to the supreme and infallible court, containing all fulness of authoritie, all controversies are fully resolved. And this is manifest, because as soon as the Lord had uttered this speech in the singular, Tell the Church, hee doth immediately adde in the plurall. *Verily I say unto you, whatsoever ye shall binde on earth, &c.* Whereby

Whereby it manifestly appeares that, the Church is
 ke thus formally & properly for many men gathered
 together, not for any one man alone. Therefore with
 the same current of speech, Christ giues also to the
 Church the power to asseble it selfe in a Council, and
 there infallibly to deerce, *Again I say unto you, If two or
 three shall agree together in earth &c. for where two or three
 are gathered together in my name, there am I in the midst
 of them.* Neither is it to be past in silence that Christ in
 this text doth denote the Aristocratical Council esta-
 blished by his owne diuine law, not the oligarchieall
 afterwards instituted by men, And that hee hath pur-
 posely expressed a certaine number, and that the least
 of numbers, for an vncertaine, to take away from
 contentious men all occasion of sinning & auoiding,
 and to shew that for a iust gouerning of the Church,
 the consent & agreement of two or three is the least
 is required, not of the Pope solely and alone. Truly
 to what side soeuer the aduersaries will turne them-
 selues, they must needs confesse that these words, *for
 where two or three are gathered together in my name,* do
 necessarily exclude that absolute and infallible autho-
 rity of the Pope alone, and do prouide that the Church
 cannot erre, and against her will, nor without her
 consent & aduise required, which euery way agreeth
 with the natural law, & is sufficiently confirmed by the
 practise of the Ancient Church. For the Council of
 Ierusalem with the consent & voices of all the Apostles
 and Priests concludeth with this title, *Act. 15. 28. It
 seemed good to the holy ghost and to vs.* Moreover the Fa-
 thers of the Africane Church, amongst whom was
 V

Saint Austen writ vnto Pope Celestin 1 in these words,
That it is not credible that God doth inspire the Iudice of
examination into any one man, and deny it to an innume-
rable number of men lawfully gathered together in a Coun-
cell. The opinion also of Pope Zozimus makes for the
 confirmation of this doctrine, when writing to the
 Bishops of France hee confesseth himselfe plainly to
 bee inferiour to the Councell, and the authoritie of
 the Apostolicall Sea not able to derogate from the
 holy decrees of Councells, 25. Quest. 1. Can. To decree
 or change any thing against the decrees of the fathers, no
 not the very authoritie of this Sea is able to doe it. Holy
 antiquitie, lines with vs, unshaken in her foundation,
 whereunto the decrees of the fathers have ordained all
 reuerence. To this may well bee added the answere of
 Gregoria the great, who confesseth that he reuerenceth the
 foure generall Councells, euen as the foure bookes of the
 holy Gospel; for being constituted with vniuersall consents
 who soeuer presumes to loose that which they bind, or to
 bind that which they loose, doth but destroy himselfe and
 not them Dist. 15. Can. Sicut Sancti Euangelij. And true-
 ly if one will, neuer so little, peruse the acts of gene-
 rall Councells, he shall easily perceiue, that the Pope
 doth not solely and himselfe alone make decrees of
 the Catholike faith in those generall Synods, but doth
 inferre and conclude them by the induction and con-
 sent vniuersally taken of all particular Churches.
 Which indeede is the most certaine and most euident
 prooue of an Aristocratall gouernment, and is con-
 firmed Can. Maiores. 24. Quest. 1.

But if some perhaps will yet argue that Christ did

pray for *Peter*. 22. *Luc. 32.* that his faith should not faile,
 and commanded him to confirme his brethren. We an-
 swere to the first part, that this promise of Christ
 according to the litterall sence of the Scripture, doth
 not extend farther then the time of the Lords passions;
 Wherein the scandall of the Crosse was most furio-
 usly to rage against all the disciples, and principally
 against *Peter*, who thrice denied his Master. Where-
 upon the Lord speakes after this manner to them all.
Mat. 26. 31. All yee shall bee offended in me this night,
 for it is written, I will smite the Shepheard, and the
 sheepe of the flocke shalbe scattered. But *Peter* answering
 sayd vnto him, Though all men should be offended in thee,
 yet will I neuer be offended; *Jesus* said vnto him, verily
 I say vnto thee, that this night before the Cock crow thou
 shalt denie mee thrice. Moreouer, *Luc. 22. 31.* *Simon*,
 beholde, *Sathan* hath desired you, to winnow you as
 wheate, but I haue prayed for thee, that thy faith faile not,
 wherefore when thou art conuerted, strengthen thy bre-
 thren. Wherein is principally to be noted that Christ
 did not say to *Peter*, I haue prayed for thee that thou
 maist neuer erre, or be subiect to be deceiued; But on-
 ly I haue prayed for thee, that thy faith faile not: And
 that *Peter* indeede did erre, yet his faith neuer failed
 him, in regard of the habite, but only of the act, for
 he did only denie the Lord with his mouth, not with
 his heart. To the second point, who will aduisedly
 examine that which preceedes and followes this
 text, euen at the first sight hee shall find that after
 Saint *Peter* was out of that dangerous staggering of
 his triebble deniall, and come againe to his right sen-

ees as from a most deepe and dead sleepe, hee was farre more able both to settle and stay his wauering fellowes, and to call againe to the Church all his scattered brethren, that there together they might expect the resurrection of the Lord. Therefore that argument of theirs is fallacious, being inferred *ad dictum secundum quid, ad dictum simpliciter*, from that which is said in some respect, to that which is affirmed simply. For that priuiledge did reach no farther then Saint *Peter* himselfe and alone, because of the imminent scandall of the Crosse. And sure if the Pope alone and not the Church, iointly taken, be infalible, It followes that Saint *Paul* sinned most greuously, Galat. 2. 11. telling vs so plainly that therefore Saint *Peter* was reprehensible, because hee went not the right way to the truth of the Gospell; Which words are most worthy to be noted. Besides that, this reprehension, as the Parisian Chauncelor well obserueth, is equivalent to an appeale to a Councell. For if Saint *Peter* had at that time resisted Saint *Paul* iustly reproving him, no doubt but the Church, gathering herselfe together in a Councell, would haue taken vp the difference betwixt them, as a little before she had decided the controuersie about the obseruation of legall Ceremonies. Act. 15. 1. In this place, as for a little accessorie and enlarging of fauour, wee may adde that Saint *Peter* by the right interpretation of the Scripture and Canons, may strengthen in the faith particular persons, or a Church, which are gone astray; and in that sence Saint *Hierome* in an Epistle to Pope *Damasus* doth require of him leaue to say, or

nor say *Hypostases* in the plurall number, which is as much as the interpretation of the Nicene Creed; I desire, saith he, from a Pastor the assistance he owes to a sheepe; Consider of it according to your iudgement, I shall not feare to say three *Hypostases*, if if you bid me: And the same hath ever bene the regard of *Theodores*, and of all the rest, when at any time they haue had their refuge to the holy Apostolicall Sea.

The first principle shewes, That often celebration of Councells is absolutely and simply necessarie, for the better and more holy gouerning of the Church, for as *Aristotle* saith in his *Politiques*, It is farre more expedient to be ruled by lawes, then by the absolute power of any whosoeuer. For lawes indeede are instead of God, and are not possessed either with loue or hatred, or any other humane passion. Whence it comes that you find so ofte these Phrases in the Actes of the Councells, *To doe any thing besides the Canon, without the Canon, against the Canon, according to the Canon*. By which stile is shewed that the Church must bee directed by Canon, and that in auncient times nothing was decreed without a Council, and Aristocraticall moderation. Hence also is it that we reade how the Bishops of France wrote vnto Pope *Nicholas* that the Bulls and Decretalls of Popes doe no way bind vnlesse they agree with the discipline of Canons, and Councells formerly received and approved. Can. *Si Romanorum Dist. 9.* To which also ought to bee referred the Canon *Omnia. Quæst. 1.* Whereupon looke *Flodoardus* lib. 3. cap. 21. pag. 231. Whō Father *Sirmonda* Iesuite hath euen of late published,

lished, since indeede the Pope which is but the ministerial head cannot bind the vniuersall Church without calling her, without hearing her, and without taking her counsell and consent. *For then are the lawes establisht when they are published, and then confirmed, when approved by the practise of those that line vnder them.* As *Austen* witnesseth, *Dist. 4. Can. In istis* And therein stands principally the libertie of the Catholike Church, or the Aristocraticall gouernment, and is the speediest and gentlest meanes to vnite and preuent Schismes againe. Vpon the ground of which principle *Hincmarus* Archbishop of Rhemes answereth to another *Hincmarus* Bishop of Laon, his Nephew, That the decretall Epistles of Popes reported to be set forth before the Councell of Nice are but of small credit, because they agreed not with the holy Canons. Whereupon looke likewise *Flodoard lib. 3. cap. 22. fol. 243 verso &c. 244. recto.* And from thence also wee may plainly learne what law our French Predecessors haue euer vsed.

The sixth principle defines the fulnesse of the Popes authoritie. First, towards the particular Churches dispersed through the world, but no manner of way towards the whole Church gathered together in a Councell; Secondly, in the matter of execution, interpretation, and dispensation; but no wayes to the constitution of Canons, vnlesse either by himselfe, or by his Legats hee preside in the Councell, and gather the voyces and consent of all the Fathers as we haue proued *Sect. 6.* But the Pope may dispense with the decrees of Councells in such a case only as the Coun-

IX.

cell it selfe might dispenſe, were it aſſembled; And that is confirmed by the opinion of Pope Zozimus, which wee haue commended Sect. 6. As alſo of Leo 7. Can. *Privilegia*. Dispensation, ſaith he, is committed vnto vs, and it ſhall be laid to our charge, if the Canons decreed by the fathers be violated, either without conſent or careleſneſſe. Saint Bernard lib. 3. ad Eugen. cap. 10. What ſaiſt thou, doeſt thou forbid vs to diſpenſe? No, but to diſſipate. I am not ſo ignorant that I doe not know that you are placed to be diſpenſers, but to edification, not to deſtruction. Finally it is required at the hands of diſpenſers that they bee found faithfull. Where neceſſitie vrgeth diſpenſation is excuſable, when vtilitie iociteth it is commended; common vtilitie, I ſay, not priuate. So that in theſe two points which wee haue treated of in this diſcourſe, all the Monarchicall eſtate of the Church, or the fulneſſe of the Popes authoritie, doth principally conſiſt; not in an absolute power, which many of our Noualiſts now, againſt both diuine and naturall law, ſtrive to intrude into the Church. Certainly eight hundred yeares agoe and aboue, that is euen before the tranſlation of the Roman Empire to our Nation, the Popes did but call them ſelues maintainers and executors of the Canons. Finally by tract of time, when all Chriſtendome lay altogether buried in the fogs of darknes and ignorance, they gathered to themſelues absolute authority to decree of all things; Eſpecially ſince the time of *Gregorie* the ſeuenth, whoſe life, largely written by *Onuphrius*, thoſe that are curious of the truth of the ſtorie may read. And they ſhall further obſerue that the Pope regular-

ly and ordinarily hath the power to call the generall Councells, in so much as hee hath power ouer the particular Churches dispersed ouer the face of the whole Earth. Now the summe of all this disputation is, that from the monarchicall State of the Church, all vnitie and order, with a powerfull execution of the Canons doe proceede. But from the Aristocraticall gouernment proceedeth most holy counsell, infallible prouidence, and finall decission; Whereby the Christian Common-wealth is gouerned to a perpetuall edification, not destruction.

The seuenth principle teacheth vs, That the Church taken either for the whole companie of the faithfull, or for the Christian Common-wealth, is contented with her sole only head, and essentiall foundation our Lord Iesus Christ, Neuerthelesse in the matter of exercise and execution of gouernment in this Christian Common-wealth, shee is differently ruled by two diuers persons, that is by the Pope, and the

Ciwill Prince. *Can. Duo sunt Dist. 96. and Can. Principes, 25. Quæst. 5.* Conformably to the commaundement of the Lord Mat. 22. 21. *Give vnto Cæsar the things which are Cæsars, and to God those that are Gods.* For by this, as by a mutuall band of loue and obligation, the Lord was pleased to knit together the Church & the Ciwill power; that Princes & Churchmen should not quarrell one against another. Which wholesome distinction, whosoever they be that know not, or doe dissemble, or confound, doe runne vpon huge and most perilous rockes, and make Churchmen, as factious and dangerous persons, suspe

And

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sted to the Ciuill Princes.

But for our 8. principle, Let vs enter a little further in this point: for since the Euangelicall law hath no other end but euerlasting life, and the soule of man for his matter and naturall subiect; It ought wholly to apply it selfe about the direction of the inward motions of the conscience, but no wayes in any outward force or violence; And therefore iudgeth only of meanes necessarie to saluation, conformably to the essentiall & spiritual causes of Christian religion; that is persuasively only, and directly, in preaching of the word, administration of Sacraments, and, if need require, exclusion of Communion with the Church by vertue of censures, the spirituall armes of the Church; which in ancient times it was a great crime to exercise without mature counsell and Aristocraticall moderation of the Priestly order, as we haue spoken Sect. 5. And so much the nature of Aristocraticall gouernment did require, and ever since that hath beene discontinued, the learned know what disturbance of Ecclesiasticall discipline hath ensued. Now this doctrine is grounded, partly vpon the definition of the Church deliuered, Sect. 3. partly vpon many strong and euident Oracles of the Scripture. Doth not our Lord distinctly auerre to Pilate, Iohn 18. 36. *that his Kingdome is not of this world?* And Luc. 9. 58. *The foxes haue holes, and the birds of beauen nests, but the sonne of man hath not whereon to lay his head.* As though hee would say, That the Church, as from God, hath neither territorie, nor vse of sword, of prison, or of any corporall punishment: for the soule,

which

which is the only and proper subject of Evangelicall law, is only moued by an inward, not by an outward beginning; but the right of the materiall sword necessarily followeth the territorie; as they effect the cause. Hence was it that the Lord did answer to one of the people that desired him to bid his brother to diuide with him their fathers inheritance, Luc. 12.

14. *Man, who made me a Iudge, or a diuider ouer you?*

As though hee had said, That the Church which hath for her subiect the soules of men, not earthly Dominions, ought not to iudge of earthly inheritances and possessions. For walking in the flesh, yet doe wee

not warre after the flesh; for the weapons of our warfare are not carnall, but mightie through God to cast downe holds, casting downe the imaginations and euery high thing that is exalted against the knowledge of God, and bringing into captiuitie euery thought to the obedience of Christ. 2 Cor. 10. 3.

Where is to be noted, that by the materiall sword the bodies may bee compelled, yea killed, but by no such meanes the thoughts to be captiuated to the obedience of Christ; for that is only effected by the wholesome food of the Word and Sacraments. And to this the witnesse of Paul, Phil.

lip. 3. 20. *Our Politeuma, that is Christian government, wholly in heauen, from whence we looke for the Sunne of Iesue Christ our Lord;* And to incede would our Lord haue it, that Church men should not meddle in violent and temporall matters. Will you haue

also the testimonie of Saint Bernard? They shall neuer shew, *said he*, when euer any of the Apostles hath sitten as a Iudge of men, diuider of

bounds,

„ bounds, or distributor of grounds. Finally I reade
 „ that the Apostles did stand before the Iudges to bee
 „ iudged, but not that they did sit iudging others.
 „ Therefore your power reaches no further then to
 „ sinnes, not to possessions; because for those, not for
 „ these, you did receiue the keyes of the Kingdome
 „ of heauen, to shue out offenders only, not pos-
 „ sessors. I pray thee, which power and dignitie dost
 „ thou esteeme greater, to remit sinnes, or to diuide
 „ possessions? But there is no comparison therein.
 „ These earthly and inferior things haue their iudges
 „ by themselves, the Kings and Princes of the earth.
 „ Why doe yee inuade other mens liberties? Against
 those diuine oracles, though more cleare then noone-
 light, two obiections principally are made; The first,
 that *Ananias* and *Sapphira* his wife were punished
 with death by Saint *Peter*, because of their lie to the
 holy Ghost *Act. 5.* The second, that the Apostle *Paul*
 teach Christians, whilst they liued vnder
 Heathen Princes and Magistrates, that they might
 choose Iudges among themselves in their ciuill busi-
 nesses, *1. Cor. 6. 4.* If then yett haue iudgements of
 things, pertaining to this life, set them vp which are
 least esteemed in the Church. We answer to the first
 that such a great action of Saint *Peter* was altogether
 miraculous, extraordinarie and wholly by the inspi-
 ration of the holy Ghost; And therefore not ap-
 pliable to ordinarie right, nor can no more be drawne
 into argument in either then these words, *Ierem. 1. 10.*
Behold this day haue I set thee ouer Nations and King-
domes, to plucke vp, to roote out, to destroy and to throw
downe.

downe; Or that place of the two Swords, Luc. 22. 38.
 seeing both places must be vnderstood Allegorically
 and spirituallly; but that from an Allegoricall and mi-
 sticall lence there can no forcible argument bee
 drawne, the very children know it. Neither is there
 any reason that the authoritie of Saint Bernard
 should breed any scruple in any mans minde, lib. 4.
 cap. 4. ad Eugen. Pute vp thy sword into thy sheath;
 The sword therefore is also thine, to bee perhaps vn-
 sheathed at thy direction, though not with thine
 owne hand. For both spirituall and materiall swords
 belong to the Church, but the one to be drawne for
 the Church, and the other by the Church. That by
 the hand of the Priest; this, of the Souldior, though
 indeede by the Priests apointment, but by the Em-
 perors commaundement. For indeede these words
 doe but shew, That the Church hath right to giue
 the signe, that is to say, to teach and perswade when
 the Ciuill Prince ought to draw his sword for the
 glorie of God. Whereof wee will speake in the
 Session following. And truly when Church-men did
 excell in holinesse of life, Christian Princes, to re-
 moue all suspicion of iniustice from their consultati-
 ons and enterprises, did vse, and that very iustly, the
 counsell of Clergy-men both in peace and in warre.
 But as iustly againe haue they left to take it, since
 Churchmen gaue occasion to suspect that they affe-
 cted that temporall Monarchie, whereof *Eugenius*,
Bonifacius, *Gregory*, and the very Cardinalls *Bellarmino*
 and *Baronius* haue written most laborious bookes.
 Which opinion, euen though it were true, yet wise-

come and reason, should haue taught those authors, at least in those most vnlucky dayes, to abstaine from such manner of writing. The second argument deceiues *ab ignoratiōe Elenchis*, through *vnskillfullnesse of arguing*; for howbeit those testimonies of holy Scripture, aboue commended, conclude manifestly, that the Church by diuine right hath neither territorie, right of sword, nor contentious Court: yet they doe not denie but by humane right and graunt of Princes, shee may very well haue it. Now for this place in question, the Apostle doth not speake of the diuine right, but of the humane and arbitrarie right, as when by a mutuall agreement of the parties, private arbiters are chosen friendly to decide differences and controuersies, without troublesome going to law. For euery man will easily obserue thus much, that shall reade the 4. chapp. of the 1. to the Corint. considerarly and without all preiudice, only bringing with him a desire of the truth.

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Now let vs passe to the ciuill powers. Truly since the ciuill Prince is the Lord of the Common wealth and Countrey, protector and defendon of the diuine, naturall and cononicall lawes; And to that end doth beare the sword; It is he alone that hath the power of constraining and restraining, by inflicting corporall punishment. Wherefore, for the good of the Church and execution of Ecclesiasticall Canons, he may make lawes, and inroll them among his Ordinances, Records & Charters, as we find that the Emperors, *Constantine*, *Theodosius*, *Iustinian*, *Charles the great*, *Saint Lewis*, *Charles 7.* *Francis 1.* and others of

our Kings haue done. Whereupon Saint *Austine* Epist. 48 ad *Vincenc.* The Kings of the earth ought to serue Christ, euen making laies for Christ, according to the aduision of Dauid, *Psalm* 2. 10. Be ye wise now therefore ye Kings, be learned ye Iudges of the earth, serue the Lord in feare. *Eusebius* likewise cap 24 lib. 4 of the life of *Constantine* the great, rehearseth that that Noble Emperour was wont thus to speake vnto his Bishops, *Ye are established Bishops by God, within the Church, and I a Bishop without.* As if hee would say, that it is the dutie of Christian Princes, by vertue of their owne office, to make ordinances for the execution of the diuine, naturall and Canonically law; and if occasion require, draw the sword: yet keeping still the moderation of the parable of the tares *Mat* 13. 30. That is to say, without breach of the publike peace. And the same is confirmed by the same Saint *Austine* Epist. ad *Vincenc.* euen now named. All which things being well conceiued, It is easie to perceiue both in what sence *Optatus Mileuitanus* affirmeth, That the Church is within the Common-wealth, that is, as it were vpon another mans ground, Territory, and Dominion; And also whether Christian Princes did in times past assemble the Councells of Nice, Constantinople, Ephesus, Chalcedon, and other generall Synods, rightfully or wrongfully: for that indeede concernes the execution of the diuine, naturall and Canonically law.

Herefor a corollary and short addition wee will adde one word more, which is, That the naturall liberties of the Catholike Church, or the common

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right given her by God and Nature, are clearly
strengthened in these eight grounds and principles, so
that none can except against them, but withall hee
must needs infringe the whole diuine, naturall and
canonicall law. And this, looke how often it hath
hapned, so often hath it given iust occasion to our
Frenchmen to appeale from it as from an abuse, Of
which appeales the Prince and Ciuill Magistrate, as
being the protector of the Church, and defender of
the Canons, hath the supreme moderation. For hee
iudgeth of the abuse only, and that belongs to the
execution of the case. And in such that manner of
proceeding among our French hath caused the be-
ginning of the liberties of the Gallicane Church, as
they are commonly termed. As also I heare that Spa-
niards & other christian nations, when any thing pro-
ceeds from the Court of Rome, which is against their
customs and orders, are wont to labor by intreatie
that it might not be put in execution. Whence
it appeares that in the matter it selfe
they agree with vs, but disagree
only in the forme and
manner of pro-
ceeding.

A Confutation of the contrarie opinion.

XIII.

THose that maintaine the contrarie opinion, that is the Popes absolute power, First doe confound the State of the Church, with the government of it: forsooth because Christ did adope Saint Peter, for a Pastor of the Church, and his Vicar, Iohn 21. 15. he himselfe being the absolute King and Monarch thereof, therefore they conclude that absolute and purely Monarchicall commaundment belongs vnto Saint Peter, as being Christs lieftenant, And by and by that the Pope hath not only the whole Ecclesiasticall power, but also all authoritie over the temporality, indirectly at least, and *in ordine ad spiritualia*, with relation to spirituall things, as the most reuerend Cardinall Bellarmine teacheth.

Secondly, they inferre that there is no need at all of holding Councells for the better and more holy government of the Church, since the Lord hath deliuered vp vnto Peter solely and alone, the infalible authoritie and power to confirme his brethren. Lnc 22. 32.

Thirdly they conclude that if Councells bee assembled at any time, the Church neuer so lawfully gathered there hath no right at all to decide of any thing, the Pope being either absent or not consenting.

Fourthly, that the Pope may abrogate at his pleasure

17 4000
sure all Canons of generall Councells concerning Ecclesiasticall policie, and altogether disanull them, and make all new.

17 4000
Fiftly, that the Pope hath not only power ouer all the particular Churches scattered ouer the world, but euen ouer the generall Councell, and that hee himselfe is in no case subiect vnto the Councell.

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All which weake grounds it is most easie for any to beate downe, hauing once well conceiued of our former principles. For in the first place, they all aime but at this, to ascribe that very same power to *Peter*, as the ministeriall head, which only indeede belongs to one Christ alone, being Lord, and founder of the Church, which is sophistically inferred a *dicto simpliciter ad dictum secundum quid*, from that which is affirmed simply, so that which is said but in a manner. But, I pray you, is there not a great difference betweene the Master and the Steward, that is, betweene Christ and *Peter*? For the Church is by Christ, and for Christ; but *Peter* by the Church, and for the Church, as the eye by man, and for man.

For confutation of their second principle, you may read it Sect. 7.

The third, the fourth, and the fift, bee not worth answering, being all fallaciously inferred a *dicto simpliciter, ad dictum secundum quid*, from that which is affirmed simply, to that which is said but in a manner as though *Peter* had the same power ouer the Church, which Christ hath. And surely if we loue the truth, we must freely say that by nature a desire is given to all men to be free and happie; but who may naturally bee
happie

happy without freedom? But if the infallibilitie of
decreeing, doo decide but in the Pope solely and a-
lone, nobody then shall have the power of delibera-
tive voice in the assemblies of the Church, which is
against the pleasure of the Lord Matt. 18. 18. Where-
upon look our 6. Section. So that if this opinion
take place, it follows that Christ hath suffered all his
extremities only to submit his Spouse the Church,
that is to say all Christians, to the soueraigne Empire
of the Pope. Which is directly contrary to the Law
of God and Nature.

XV.

But now because of all the arguments of our Ad-
versaries, three principally seem to be of some weight,
we will also examine them. First, that Peter hath been
ordained by Christ, to be the Sheep-herd over the
whole Church, in these wordes. *Feede my sheepe*, and
that by that diuine speech neither Apostles nor gene-
rall Councils are excluded being all Christs sheepe,
and therefore to be led by S. Peter the Vicar of Christ.
To that we answer, that by these wordes Christ did
give no other authoritie but ministeriall vnto Peter,
as we haue proued Sect. 4. 5. and 9. And that the duty
of a Minister and Vicar is to put in execution the
precepts of the Diuine, Naturall, and Canonall
law, but yet according to the rules of the Aristocra-
ticall temper ordained by God: And that therefore
Peter is accounted a Pastor, only for the execution of
Canons, administration of the word, and other such
things, which may better be managed by one man a-
lone, then by the whole Church gathered together
in a Council.

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to Their second argument is, That the whole Church gathered together in a Councell; makes but one Familie, one Flocke, one Kingdome; and visible bodie of Christ; therefore must also necessarily haue a visible head, the Pope: and, it would seeme a strange Monster; if one bodie should haue two supreme heads, the Pope, and the general Councell. Wee answere, that the Church is a Monarchicall pollicie tempered by an Aristocraticall Governement. Whence of necessity it followes that the Councell hath the supreme power for direction of Governement; correction; and authoritie, to make Canons. And as for Peter, hee hath it only for the execution, exercise, and vse of the keyes towards the particular Churches. Looke our Sect. 4. 5. 6. and 9.

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XVI.

Thirdly, they alledge that in the Councell held at Rome vnder Pope Sixtus with 280. Bishops it is ordained, cap. 20. *Let no body iudge the first See, which is desirous to temper iustice. The iudge shall not be iudged, nor of the Emperour, nor of the whole Clergie, nor of King, nor of People.* Which sentence Gratianus cleth 2. quæst. 3. can. Nemo. But if wee must needes tell you what wee thinke thereof, who soever will duly consider that Canon, shall once at the first sight perceiue that it is more hurtfull then sauourable to the Adversaries; because the opinion of the Schoole of Paris, grounded vpon the decree of the Synode of Constance, teaches, that the Pope may be iudged by the Councell in that case only, when he doth notoriously scandalize the Church, and is in-

contingible. But if he be desirous to temper iustice,
 and the most beindged of no body, since the law is
 not made against a iust man; being a perpetuall law
 to himselfe. Secondly, although this Canon should
 decree absolutely, yet can it not derogate any thing
 from the authoritie of the decrees of the Coun-
 cell of Constance, since it was made in a particular
 Church, which indeede ought not to iudge of the
 Pastor of the whole Church; vnlesse hee submit
 himselfe to the iudgement of that Councell. As
 I once Popes Sixtus the third did. 2. quest. 4. Canon.
Minister. Therefore those wordes. *Non est of the*
whole Clergie, must bee vnderstood distributively of
 some Church, or particular Clergie, but not ioynt-
 ly of a whole generall Councell, as that of Con-
 stance, or Basil was. Thirdly, who is acquainted
 with the reading of Councells, shall soone perceiue,
 that there are many harsh and improper things in
 this Canon, which make it iustly suspected of ma-
 nifest irreption. For certainly in those times the
 Fathers of the Church did not speake so glorious-
 ly, neither did the persecutions giue them leue
 to thinke of any absolute power. Moreover, what
 needes to haue spoken of Kinges, since at that time
 there were none at all, but only the Romane Empe-
 rors. But since Christian Reader, we pray thee looke
 thet upon Cardinal Cusan. lib. 2. cap. 20. *de conser-*
uentia Catholica. T. 1. fol. 101. and downe to p. 102.
 For all other authorities which are cited out of the
 writings of Popes, & read in quest. 3. there is no great
 account to be made of them, since John Orsini, and
 other

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IIIVX

XVII.

other Parisian Doctors doe answere in a word, That none is to be beloved in his owne cause, except his Commonie agree with the Divine, Naturall, and Canonickall law. But now it is contrarie to the law of God and Nature, that the ministeriall head should have power over the Church.

And surely the finall cause of the Church, which is everlasting life by a good government, declares evidently, that the Pope is by the Church, and for the Church; not contrariwise, The Church by, and for the Pope. Therefore in the matter of Ecclesiasticall government, that *Cephas*, that was *Peter*, is subiect vnto the Church, as theie vnto man. 1. Cor. 3. 21. Therefore let no man glorie in men, for all things are yours. (that is of the Church) whether it be Paul, or Apollos, or Cephas, &c. Item, 2. Cor. 13. 10. All power is given to edification, not to destruction. From whence it ariseth, as proued, that the Church by the Divine, and Naturall law, can provide, and prevent, that the Pope may not rule her to her owne destruction, as it was decided *Conc. Constant. Sess. 4. and 5.*

XVIII.

Finally, whereas they crie to loud, that the Church hath an indirect authoritie over the Temporallie, it is true by way of doctrine, perswasion, direction, and exclusion from the communion of the Church; but false that it ought to be done by constraint, and deposition of Princes, as we haue shewed Sect. 12 & 13. Seeing the Church hath neither Territorie, nor vse of the materiall sword. Whosoever therefore doe maintaine, that the Church may lawfully depose Christian Princes, doe even as much as if one should inferre,

But note

1. beaurse

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inferre, that the Schoole-master, because he hath the
 authority of Scholasticall discipline, may disinherit
 his Disciples of their patrimonie, if they be obstinate
 against his discipline; Which also is fallacious, as be-
 ing wrested & dicto secundum quid, ad dictum simpliciter,
 from that which is said in some respect, to that which
 is affirmed simply. For such thinges which are true
 in some one and peculiar sense, ought not to be stret-
 ched to an vniuersall and absolute sense, but by So-
 phisters and Iuglers only. And if they vrgc further
 that the Church is sufficient in it selfe, and a supreme
 commandresse. The answer is, that that must be li-
 mitted within those bounds which be assigned by na-
 ture to every thing: But the essentiall causes of the
 Church, will not suffer that church-men should med-
 dle with violent or secular busineses. Wherefore all
 the sufficiencie of the Church government ought to
 be deriued from the obseruation of the commande-
 ments of God, but not from any temporall Monar-
 chie, or right of sword. Mat. 28. 19. *Go therefore and*
teach all nations; baptizing them, and teaching them to
observe all thinges whatsoever I have commanded you, and
I am with you alwaies untill the end of the world. For
 the arguments which doe vphold this doctrine, wee
 will reduce them to three heads. The first shall con-
 taine all the examples which *Sanders, Bellarmine, Coc-*
queus, and others set forth out of the old Testament,
 for all *ab ignorantia Elenchis*, through vnskillfullnesse
 of arguing. Who is ignorant among vs, that there
 is a sarr different nature of the Iewes Synagogue, and
 of the Christian Church, of the law of *Moses*, and of
 the

the Gospell. For these inleede had Territorie allotted them, & consequently might haue right of more command from God; which no wise man will euer affirme of the Church. And to this that the Euangelicall law compared to that of *Moses*, yea to any other law whatsoever, is a law truly Royall and full of mildnesse, and most perfect libertie, whereas the law of *Moses* was a most seruile bondage, *Act. 15. 10. Gal. 4. 3.*

The second head offereth vnto vs the authorities taken out the Canonickall law, which Cardinall *Belarmine* commended, namely cap. 3. *Synod. Lateran.* where it is ordained that Kings and Princes are to be deposed, which doe not roote out all Heretikes from their Dominions. The answer is, that these and the like ought to haue no more power against ciuill Princes, then the extravagant of *Boniface Bull nam Sanctan*, or the constitution of *Paul 4. Cum ei Apostolatus officiu*, which is to be read in the Directorie for Inquisitors: seeing those decrees haue bech made not Synodically, that is, with consent of the whole Church, but by the Popes priuately; and by their owne proper motion; which therefore doe not binde, because the Church is ruled by Canon, not by a absolute power. Sect. 5. and 8.

For the third head, we denie absolutely that the deposition of King *Chilperic*, or the translation of the Empire to the French, was by the only authoritie of the Popes, without consent, authoritie, or desire of the people: And though it were true as they say, yet would it make but very little or nothing to the decision

and Politike power.

sion of our present Controuersie, since it rather openeth a question *of fact then of right*; as also the examples of the deposing of *Henric 4. Frederick 2.* and other Emperours or Kings. Let therefore our Aduersaries dispute of right, not of fact: for our Lord Iesus Christ hath ordained the Christian commonwealth, to be gouerned by good manners, and Canons, not by examples.

The solution of all other arguments drawn either from holy Scripture, or any where else, may be taken out of the most learned Treatise of *M. Iohn* of Paris touching Regall and Papall authoritie.

Let all these thinges be subiect vnto the iudgement of the Catholike Church.

F I N I S.

*fact - S. Iohn, and
Henric 4. Frederick 2.
Quintus, and
Africanus, and
Iulius, and*

J. J.